

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING, and
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, LLC and JAMES
FRANCE

Defendants.

Civil Action No. 3:24-cv-886-KDB-SCR

DEFENDANTS' NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, as well as 28 U.S.C. § 1292(a)(1), Defendants National Association For Stock Car Auto Racing, LLC, and James France hereby appeal to the United States Court of Appeals for the Fourth Circuit from the December 18, 2024 Order granting Plaintiffs' Motion for Preliminary Injunction [Doc. No. 74].¹

This the 19th day of December, 2024.

Respectfully submitted,

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¹ The filing of this Notice of Appeal does not divest the District Court of jurisdiction over Defendants' Emergency Motion for Partial Stay of Injunction Pending Appeal (Doc. 76). *See, e.g., Rakovich v. Wade*, 834 F.2d 673, 675 (7th Cir. 1987); *Wolfe v. Clarke*, 718 F.3d 277, 281 n.3 (4th Cir. 2013); Fed. R. App. P. 8(a).

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ARTIFICIAL INTELLIGENCE (AI) CERTIFICATION

I hereby certify the following:

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg;

2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

This the 19th day of December, 2024.

/s/ Christopher S. Yates

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Christopher S. Yates